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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

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8 UNITED STATES OF AMERICA,)
9 Plaintiff,) 2:05-CR-00108-PMP-PAL
10 vs.)
11 DELVEN EARL RASPBERRY,)
12 Defendant.)
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ORDER

14 Before the Court for consideration is Defendant Raspberry's Motion for
15 Modification of a Sentence by a Person in Federal Custody (Doc. #71), filed on
16 December 13, 2010. Having read and considered Defendant's Motion and the
17 Government's Response in Opposition thereto (Doc. #72), and finding that the
18 statute relied upon by Defendant is not retroactive, and good cause appearing,

19 **IT IS ORDERED that** Defendant Raspberry's Motion for Modification of
20 a Sentence by a Person in Federal Custody (Doc. #71) is **DENIED**.

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22 DATED: January 24, 2011.

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25 PHILIP M. PRO
United States District Judge
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